



WEB COPY



Crl.O.P.No.19472 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.07.2025

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.No.19472 of 2025

Chamundeeswari

... Petitioner/Accused

Vs.

State by
The Inspector of Police,
H5- New Washermenpet Police Station,
Chennai District.
(Crime No.865 of 2025)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, to enlarge the petitioner on bail pending
investigation in Crime No.865 of 2025 on the file of the respondent police.

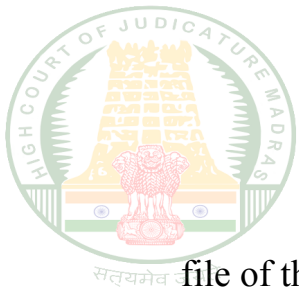
For Petitioner : Mr.S.Silambu Selvan

For Respondent : Mr.R.Vinothraja
Government Advocate (Crl.Side)

For Intervenor : Mr.Ezhilarasu

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 09.06.2025, for the offence punishable under Sections 420, 464, 465, 468
and 470 of I.P.C. in connection with Crime No.865 of 2025, registered on the



Crl.O.P.No.19472 of 2025

file of the respondent, seeks bail.

WEB COPY

2.The case of the prosecution is that the de-facto complainant purchased the subject property from one A.T.S.Rajan by a registered sale deed. The petitioner, who is the tenant in the property transferred the electricity connection in her name by submitting forged documents. Hence, the case.

3.The learned counsel for petitioner submitted that the petitioner is an innocent person and she has been falsely implicated in this case. One A.T.S. Rajan sold his undivided share to the petitioner under unregistered document after receiving due consideration and promised to execute registered sale deed. Thereafter, the said A.T.S.Rajan sold the property to the de-facto complainant suppressing the earlier sale with the petitioner. Hence, he prayed to grant bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the de-facto complainant purchased the subject property from one A.T.S.Rajan by a registered sale deed. The petitioner, who is the tenant in the property transferred the electricity



CrI.O.P.No.19472 of 2025

WEB COPY

connection in her name by submitting forged documents. After receipt of complaint from the de-facto complainant, the electricity connection and property tax were transferred to the name of the de-facto complainant. Further there was civil suits and writ petition pending between the petitioner and the de-facto complainant. The petitioner is running a Xerox shop in the subject property. At the time of taking Xerox of some documents, the petitioner created forged documents and thereafter using the same changed the EB connection in her name not only for her shop, also for the entire building and also attempted to take over the property, which the de-facto complainant had effectively defended, gave complaint and filed civil suits and writ petition. Other than this case, another F.I.R. registered against the petitioner for removing iron rods and wooden logs from the property. Hence, he strongly opposed for granting bail to the petitioner.

5.The learned counsel for intervenor submitted that the petitioner is an encroacher to the property and having high political connection. The police have not taken any action and only after filing a petition under Section 156(3) of Cr.P.C. before the concerned Magistrate, the F.I.R. has been registered.



Crl.O.P.No.19472 of 2025

WEB COPY

6.Heard the learned counsel appearing on both sides.

7.Considering the submissions made on either side and on perusal of the material, it is seen that after the complaint of the de-facto complainant, the EB connection in the name of the petitioner has been cancelled and restored in the name of the de-facto complainant. Further, considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

8. Accordingly, the petitioner is ordered to be released on bail on her executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **XV Metropolitan Magistrate, George Town, Chennai** and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the Application for Surety ship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Magistrate shall obtain a copy of any one of the identity proofs to ensure their identity;



WEB COPY



CrI.O.P.No.19472 of 2025

[b] the petitioner shall report before the respondent police everyday at 10.30 a.m. until further orders;

[c] the petitioner shall not directly or indirectly cause any threat to the de-facto complainant and witnesses;

[d] the petitioner to give an undertaking that if required for being identified by witnesses during investigation or for police custody beyond the first fifteen days, she shall comply to the directions as may be given by the Court in this regard;

[e] On breach of any of the aforementioned conditions, the learned Magistrate/Trial Court is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)13 SCC 283]**;

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.



WEB COPY

rsi

Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.



CrI.O.P.No.19472 of 2025

15.07.2025
(2/2)



Crl.O.P.No.19472 of 2025

WEB COPY

To

- 1.The XV Metropolitan Magistrate,
George Town, Chennai.
- 2.The Inspector of Police,
H5- New Washermenpet Police Station,
Chennai District.
- 3.The Superintendent,
Central Prison, Puzhal,
Chennai.
- 4.The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.19472 of 2025

M.NIRMAL KUMAR, J.

rsi

Crl.O.P.No.19472 of 2025

**15.07.2025
(2/2)**